

Notice of Allowability	Application No.	Applicant(s)	
	10/699,304	PARKER ET AL.	
	Examiner	Art Unit	
	PHYLESHEA DABNEY	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/2/08.
2. ☒ The allowed claim(s) is/are 17-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/2/08</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|---|---|

/Quoc D Tran/
Primary Examiner, Art Unit 2614

DETAILED ACTION

This action is in response to the Interview conducted on 2 September 2008 and subsequently on 11 September 2008 confirming the Examiner's Amendment effecting pending claims 17-24 and claim 1-16, 25-26 cancelled as being elected without traverse.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Hieken on 11 September 2008.

The application has been amended as follows:

In The Claims

1-16. (cancelled)

17. (currently amended) An electroacoustical device for operating in an ambient environment comprising: an acoustic enclosure comprising a port having an exit for radiating pressure waves; an electroacoustical transducer positioned in said acoustic enclosure, said electroacoustical transducer for vibrating to produce said pressure

Art Unit: 2614

waves; a second enclosure having a first opening and a second opening; wherein said port exit is positioned near said first opening so that said pressure waves are radiated into said second enclosure through said first opening, and wherein said port exit, said first opening, the electroacoustic transducer, and said acoustic enclosure are constructed and arranged to cause air flow from said ambient environment to flow into said second enclosure through said first opening unidirectionally;

a mounting position for a heat producing device in said second enclosure positioned so that the unidirectional air flowing into said second enclosure through first opening from said ambient environment flows across said mounting position to cool the heat producing device.

20. (currently amended) An electro-acoustical device, comprising: a first enclosure comprising a port having a terminal point for an outward airflow to exit said enclosure to an ambient environment and for an inward airflow to enter said enclosure; an electroacoustical transducer comprising a vibratile surface for generating pressure waves resulting in said outward airflow and said inward airflow; a second enclosure comprising a first opening and a second opening, wherein the port terminal point is positioned near said first opening and oriented so that said port terminal outward flow flows toward said second opening and wherein said port and said electroacoustical transducer coact to cause a substantially unidirectional airflow to flow into said first opening; and a mounting position for a heat producing device in said elongated second

Art Unit: 2614

enclosure positioned so that air flowing into said opening from said ambient environment flows across said mounting position to cool the heat producing device.

21. (currently amended) An electroacoustical device for operating in an ambient environment comprising: an acoustic enclosure comprising a port having an exit for radiating pressure waves; an electroacoustical transducer positioned in said acoustic enclosure, said electroacoustical transducer for vibrating to provide said pressure waves; said electroacoustic transducer, said port, and said acoustic enclosure coacting to provide an unidirectional component of air flow in said acoustic enclosure;

an elongated second enclosure having a first extremity and a second extremity in a direction of elongation; a first opening at said first extremity and a second opening at said second extremity; wherein said port exit is positioned in said first opening so that said pressure waves are radiated into said second enclosure through said first opening toward said second opening; and a mounting position for a heat producing device in said elongated second enclosure positioned so that air flowing into said opening from said ambient environment flows across said mounting position to cool the heat producing device.

24. (currently amended) An electroacoustical device, comprising: a first enclosure comprising a port having a terminal point for an outward airflow to exit said enclosure and for an inward airflow to enter said enclosure; an electroacoustical transducer comprising a vibratile surface mounted in said first enclosure for generating

Art Unit: 2614

pressure waves resulting in said outward airflow and said inward airflow; a second enclosure comprising a first opening and a second opening, wherein said port terminal point is positioned in said second enclosure and oriented so that said port terminal outward airflow flows toward said second opening and wherein said port and said electroacoustical transducer coact to cause a substantially unidirectional airflow into said first opening; and a mounting position for a heat producing device in said elongated second enclosure positioned so that air flowing into said opening from said ambient environment flows across said mounting position to cool the heat producing device.

25-26. (cancelled)

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The instant application is deemed to be directed to a nonobvious improvement over Henricksen et al (U.S. Patent No. 4,811,403).

With respect to independent claims 17, 20, 21, and 24, the nonobvious improvement comprises an electroacoustic device for operating in an ambient environment having a first opening, a port exit, an electroacoustic transducer, an acoustic enclosure, and a heat producing device located in a second enclosure; wherein the port exit, first opening, electroacoustic transducer, and acoustic enclosure are constructed and arranged to cause air flow from the ambient environment to flow into the second enclosure through the first opening in a unidirectional manner so that the

Art Unit: 2614

heat producing device is cooled, as substantially described and connected with the other functional language of these claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHYLESHA DABNEY whose telephone number is (571)272-7494. The examiner can normally be reached on Monday through Thursday 9:00-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P O Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(703) 273-8300, for formal communications intended for entry and for informal or draft communications, please label "Proposed" or "Draft" when submitting an informal amendment.

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street

Alexandria, VA 22314

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 12, 2008

/PHYLESHA DABNEY/
Examiner, Art Unit 2614

/Quoc D Tran/
Primary Examiner, Art Unit 2614